

Township of South Hackensack
Bergen County, New Jersey
December 3, 2009 7:30 P.M.
Worksession Meeting
MINUTES

Rosina Romano, MayorPresent
Gregorio Maceri, Deputy MayorPresent
James AnzevinoPresent
Walter Eckel, Jr.....Present
Gene Roman.....Present

Also present:

David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk
Lawrence J. Paladino, Jr., Supt. DPW
Rosemarie Giotis, CFO

Call of Meeting to Order

Mayor Romano called the Regular Meeting to order at 7:30 p.m. She advised that pursuant to the Open Public Meetings Act annual notice of the meetings had been provided to *The Record*, *The Herald and News* and by posting the annual notice on the bulletin board in the clerk's office where notices are customarily posted. Everyone saluted the flag. The municipal clerk called the roll.

Correspondence & Reports

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to accept correspondence dated November 10, 2009, from Warren G. Kuhle Re: Retired Volunteer Firefighter clothing allowance, and to refer it to the Fire Department Fire Board for their review and comment.

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to accept correspondence dated November 10, 2009, from Ptl. David J. Agar, Jr. Re: Unused Sick Day Payment and to authorized the attorney to prepare the necessary resolution.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept and place on file, correspondence dated November 10, 2009, from Avis T. LoVecchio/Vinny Carollo, South Hackensack Recreation Re: Recreation sponsored "Movie Nights" at Memorial School.

Maceri motioned; Anzevino seconded and the Committee unanimously agreed to accept and refer to Ray DeRiso, zoning enforcement officer, correspondence dated December 1,

2009, from the Ambulance Corps. Re: Request to install resin shed on Township property at 227 Phillips Avenue.

Eckel motioned; Maceri seconded and the Committee unanimously accepted correspondence dated November 30, 2009, from Elliot Sachs, Boswell Engineering Re: 2010 Discretionary Aid Project Recommendation – Phillips Avenue, Lincoln & Dyer and authorized Mr. Sachs to prepare and file the necessary application with the state department of transportation.

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to accept and approve correspondence dated December 2, 2009, from Linda LoPiccolo, Municipal Clerk Re: Request to amend holiday schedule for Christmas and New Year holidays.

Old Business

PVSC Agreement – Since the township attorney had not yet had an opportunity to review the proposed Agreement, the matter was tabled until December 10, 2009.

NJMC MAP Grant – Since the Township has not received notification that there will be a MAP grant award in 2010, the matter was tabled until December 10, 2009.

New Business

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to authorize the award of 2010 Professional Contracts by the Non-Fair & Open method. Rosina Romano motioned, Greg Maceri seconded and the Committee unanimously agreed to authorize Jim Anzevino and Walter Eckel as the sub-committee authorized to prepare the list of professional appointments for submission to the clerk so that she can notify those who will be appointed.

Employee Holiday Party – The party will be held on Wednesday, December 16, 2009 at 12 noon.

Resolutions

Resolution 2009 Authorizing Executive Session December 3, 2009

Offered: Anzevino

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Committee Reports

James Anzevino reported that the Little Ferry/South Hackensack Soccer League held their annual party recently where awards were handed out. There will be a spring soccer program.

Walter Eckel, Greg Maceri, Gene Roman and Mayor Romano had no report.

Public Comments

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to open the meeting for public comments at 7:45 p.m.

Barbara Falcone, 5 Maple Avenue – Reported a recent health incident involving her son at a recreation sponsored event. She was concerned that recreation employees may not be trained to administer to her son properly. She suggested that recreation employees receive training on administering an EPI pen. Angelo Sortino, a department of public works employee who is also an EMT advised that only EMT's can administer an EPI pen and he suggested that recreation personnel be reminded to call 911 should someone require medical assistance. The Township Committee thanked her for her concern and advised that they will review their policy regarding recreation events and employee training.

Ray DeRiso, Williams Avenue – Advised the Committee that there are several streets in town that needed resurfacing including South Main Street and Louis Street. Mr. Maceri requested Mr. Paladino to prepare a priority list of streets for resurfacing and suggested that the Committee consider a road project in 2010.

Maceri motioned; Anzevino seconded and the Committee unanimously agreed to end the meeting for public comments at 8:05 p.m.

Closed Session

The following matters were discussed in closed session. Minutes were taken and will be available to the public when permitted by law and authorized by the governing body.

The Committee permitted both Frank Cagas and Gary Brugger to attend the closed session since they will be members of the governing body in 2010.

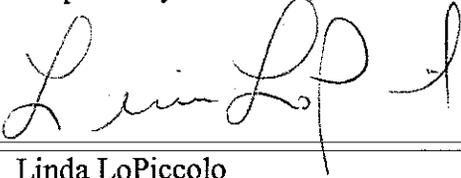
Maceri motioned; Eckel seconded and the Committee unanimously agreed to go into closed executive session to discuss the following closed session matters:

- Personnel – Troy MacDonald
- Personnel – Giorgio Sortino
- Personnel – Michael Montenegro
- PBA Contract Negotiation
- Litigation – Tax Appeals (30 Wesley St., 51 James St., 41 James St)

Adjournment

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to re-open the meeting to the public and since there was no further business to come before the board to adjourn at 9:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda LoPiccolo". The signature is written in black ink and is positioned above a horizontal line.

Linda LoPiccolo
Municipal Clerk

Resolution 2009 Authorizing Executive Session December 3, 2009

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Whereas, the Township Committee of the Township of South Hackensack is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et seq., and

Whereas, the *Open Public Meetings Act*, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Township Committee of the Township of South Hackensack to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

____ (1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

____ (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

____ (3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____ (4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____ (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

____ (6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

PBA Local 102 Negotiation

Tax Appeal Litigation: 30 Wesley Street, 51 James Street, 41 James Street

X (8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Giorgio Sortino

Troy MacDonald

Michael Montenegro

Joseph Maglio

(9) *Matters relating to the Potential Imposition of a Penalty*: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

Now, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack assembled in public session on this date, that an Executive Session closed to the public shall be held in the South Hackensack Township Municipal Complex, 227 Phillips Avenue, South Hackensack, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

The foregoing resolution was duly adopted by the Township Committee of the Township of South Hackensack at a public meeting held on December 3, 2009.

Linda LoPiccolo
Township Clerk

Warren G. Kuhle
PO Box 268 - 58 North Bolton Road
Bolton Landing, NY 12814
(518)644-2847

RECEIVED

NOV 12 2009

SOUTH HACKENSACK
MUNICIPAL CLERK

CC:TC

Honorable Mayor & Council
Township of South Hackensack
222 Philips Avenue
South Hackensack, NJ 07606

November 10, 2009

To the Members of the Town Council:

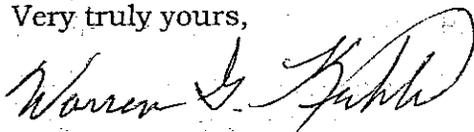
My reason for writing, is to ask reconsideration on the amount which I receive as a retired volunteer firefighter. The Fire Department By-Laws state that a retiree should receive the same amount they received on active duty. My last check for the year 2000 was \$500. I served 25 years and 8 months. When I received my first check as a retiree to cover the year 2001 the amount was reduced to \$350. I was told that when the allowance was amended to \$500 it didn't provide for the retirees. The council did eventually amend the law but only provided for those who retired in 2002 and those who retired the previous year remained at \$350. As I believe that I was the only one to retire that year, I am the only one being penalized and this action also violates the By-Laws.

I'd like to add a little family history for those of you who don't know me. My wife's family moved to South Hackensack in 1951 and I moved next door to her in 1958. During my wife's childhood, her father was a charter member of the ambulance corp. He served as a Boy Scout Leader and never denied anyone who needed help. In 1964 I married the girl next door. In 1970 we purchased her family's house and in 1975 our first child was born. In that year, I also joined the fire department. My wife served two terms on the Board of Education during which time she served both as Vice President and President. She also served as the town coordinator for the Girl Scouts. I served on the Welfare Board as Chairman for many years and most of all...in every year of my fire service I made my percentage.

After two generations of exemplary service to the town I am insulted. I find it hard to believe that after the omission in the law was found and rectified that I am the only one penalized and continue to be penalized each year. I ask that in order to be truly compliant with the By-Laws and because it's the right thing to do that you return my yearly award back to \$500 and as you have done with all of the other retirees include retroactively the \$1350.

Thank you very much for your prompt attention to this matter.

Very truly yours,



Warren G. Kuhle

RECEIVED

SEP 17 2009

SOUTH HACKENSACK
MUNICIPAL CLERK

South Hackensack Mayor and Town Council:

South Hackensack Ambulance would like to place a resin shed on the premises next to the ambulance building. This is a formal request asking for permission and authorization for the use and storage of items outside the ambulance corps building. This will be a resin / plastic shed that is in measurements of roughly 5.5 ft. x 7.75 ft. It will be placed on the left side of the bay door in the empty space. This shed will be secured to the ground and locked at all times. Only members of the corps will have access to this storage. We will be storing a grill, chairs, cement sign holders, extra seasonal equipment, etc... This will make more room and accommodate the ambulances better in the garage. Also, provide needed area for our ongoing training and report writing. The shed will be purchased with grant funds provided to the ambulance corps.



The shed will be within the space shown here.

Dimensions:

5.5 ft. x 7.75 ft.

Quotes:

Lowes \$685.00

Shed Gear: \$685.00

Ace Hardware Store: No Price / Special Order

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TOWNSHIP OF
SOUTH HACKENSACK

CC:TC

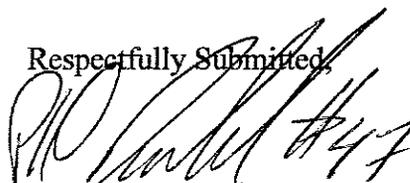
Linda Lopiccolo
Township Clerk
Township of South Hackensack
227 Phillips Avenue
South Hackensack, NJ 07606

November 10, 2009

Mrs. Lopiccolo,

As you are aware I will be resigning from my position within the South Hackensack Police Department effective November 23, 2009. By way of this letter I am respectfully requesting payment for forty-five (45) unused sick days. I am eligible for this payment as per Article XXI (page 26) of the labor agreement between the Township of South Hackensack and Township of South Hackensack PBA Local 102.

Respectfully Submitted,



Ptl. David J. Agar, Jr. #47

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NOV 19 2009
SOUTH HACKENSACK
MUNICIPAL CLERK

November 10, 2009

South Hackensack Township Committee
Phillips Avenue
South Hackensack, NJ 07606

Dear Township Committee:

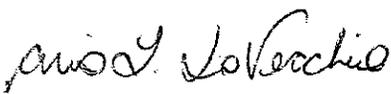
The South Hackensack Recreation Department would like to present an outstanding opportunity for our Pre-K thru 8th grade students.

With the coordination of Memorial School and the South Hackensack Recreation Department, we will be able to afford our students a safe entertainment venue on Friday nights. We intend to, with the permission of the School Board, utilize the school cafeteria for "movie nights". These planned and supervised events will provide a meeting place for our youth. As you know, our park closes at 8:00pm leaving these students without a place to "hang out". Our plan will fill this void. The South Hackensack Recreation Department will staff and supervise these events with our workers.

This will be at no cost to the students, we will have a registration and permission slips will need to be signed by a parent/guardian.

I look forward to the prospect of providing an outlet for our students in the near future.

Sincerely,



Avis T. LoVecchio
Commissioner/President
South Hackensack Recreation



Vinny Carollo
Commissioner
South Hackensack Recreation